

## REMARKS

Claim 30 has been rejected under 35 USC 102(b) as anticipate by Eder. The rejection is respectfully traversed.

The invention relates to a method for pre-emphasis of optical signals in a transmission system with add-drop-modules. More specifically, the optimum power distribution is initially calculated for all channels which are transmitted in a link at the OADM, i.e. a pre-emphasis calculation is undertaken for all channels for the route from the OADM to the end of the transmission link. Significantly, identical values of optical signal-to-noise ratios OSNR are no longer required, but rather a predetermined value (ratio) is created instead. For example, the claimed invention (as amended) requires achieving predetermined average optical signal-to-noise ratios. This feature is not disclosed in Eder. Rather, Eder shows demultiplexing where bands of channels are looped through by an add-drop module OADM. In this case, however, there is no possibility to set the power of the channels individually at the location of the OADM. In fact, Eder specifically states that such ratios are determined in the receiver unit of the WDM transmission system. See, for example, paragraph [0002]. Additionally, the power spectrum of the optical WDM transmission signal is determined at the output of the optical transmitter unit or of the optical add/drop multiplexer using an optical spectrum analyzer, and the signal level of the injected add/drop signals is adapted to the power spectrum determined for the express signals, at the input of the optical transmitter unit or of the optical add/drop multiplexer, and results in an optimum signal-to-noise ratio in the receiver unit. See, for example, paragraph [0010]. However, there is no disclosure to eliminate the OSNRs and use a predetermined value instead, as required by the claimed invention.

Claims 31-38 and 45 have been rejected under 35 USC 103(a) as unpatentable over Eder in view of Claringburn and/or Coden. The rejections are respectfully traversed for at least the same reasons presented in the arguments above.

Claims 39-41 and 49-50 are allowable if rewritten in independent for to include any base and intervening claims.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to

charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney  
Docket No. 119010-424.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Kevin R. Spivak

Reg. No. 43,148

Customer No. 29177

Dated: December 18, 2008